

## Creditor's Checklist for Garnishment Forms

Keep a copy of all documents for your records.  
Attend all court hearings.

### (1) To verify the debtor's employment

**Note to judgment creditor:** If you serve a writ of garnishment to garnish earnings without first verifying that the garnishee employs the debtor, you may be liable to the garnishee for up to \$1000. Utah Code Section 78A-2-16.

- ✓ Complete the entire Request for Verification of Employment form.
- ✓ Include all attachments.
- ✓ Complete the heading of the Response to Request for Verification of Employment form.
- ✓ File the forms with the court.
- ✓ Serve the forms on the other party (or lawyer).
- ✓ Serve the forms on the presumed employer.

### (2) To garnish periodic payments to the debtor

- ✓ Complete **two** Applications for Writ of Garnishment. Complete the entire form.
- ✓ On Page 2, check "Writ of Continuing Garnishment" or, if the debt is child support, check "Writ of Continuing Garnishment for Child Support."
- ✓ Attach **two** Writs of Continuing Garnishment and Instructions. (The clerk will sign both with an original signature. One is served on the garnishee and the other is returned to the court with the proof of service. Complete only these parts:
  - ✓ Complete the heading. In the heading, check "child support" if the judgment is for child support. Otherwise, check "other."
  - ✓ Include the garnishee's name and address.
  - ✓ Complete Paragraphs (2) and (3).
- ✓ Attach the Garnishee's Answers to Interrogatories for Earnings form and complete the heading.
- ✓ Attach the Notice of Garnishment and Exemptions form.
- ✓ Attach 2 copies of the Reply and Request for Hearing form and complete the heading.
- ✓ Attach a check payable to the garnishee for the garnishee's fee: \$25.00.
- ✓ Unless service fees have been waived, attach a check payable to the sheriff, constable or private investigator for the service fee.
- ✓ Unless filing fees have been waived, attach a check payable to the court for the filing fee: \$35.00.
- ✓ File the forms with the court.
- ✓ Serve the forms on the other party (or lawyer).
- ✓ Serve the forms on the garnishee (debtor's employer).

- ✓ Attend any hearings that are scheduled.

**(3) To garnish the debtor's other personal property**

- ✓ Complete **two** Applications for Writ of Garnishment. Complete the entire form.
- ✓ On Page 2, check "Writ of Garnishment."
- ✓ Attach **two** Writs of Garnishment and Instructions. (The clerk will sign both with an original signature. One is served on the garnishee and the other is returned to the court with the proof of service. Complete only these parts:
  - ✓ Complete the heading.
  - ✓ Include the garnishee's name and address.
  - ✓ Complete Paragraphs (2) and (3).
- ✓ Attach the Garnishee's Answers to Interrogatories for Property other than Earnings form and complete the heading.
- ✓ Attach the Notice of Garnishment and Exemptions form.
- ✓ Attach 2 copies of the Reply and Request for Hearing form and complete the heading.
- ✓ Attach a check payable to the garnishee for the garnishee's fee: \$10.00.
- ✓ Unless service fees have been waived, attach a check payable to the sheriff, constable or private investigator for the service fee.
- ✓ Unless filing fees have been waived, attach a check payable to the court for the filing fee: \$35.00.
- ✓ File the forms with the court.
- ✓ Serve the forms on the other party (or lawyer).
- ✓ Serve the forms on the garnishee (or lawyer).
- ✓ Attend any hearings that are scheduled.

**(4) To request that the garnishee be held in contempt of court for failure to follow the Writ of Garnishment**

- ✓ Complete the entire Motion for Order to Garnishee to Show Cause.
- ✓ Attach the Order to Garnishee to Show Cause form and complete these parts:
  - ✓ Complete the heading.
  - ✓ Complete Paragraph (2).
- ✓ Attach the Certificate or Proof of Service showing that the garnishee was served with the Writ of Garnishment and the correct accompanying documents.
- ✓ Take the forms to the court, and the clerk will schedule a hearing and complete Paragraph (4) of the Order to Garnishee to Show Cause form.
- ✓ Serve the forms on the other party (or lawyer).
- ✓ Serve the forms on the garnishee (or lawyer).
- ✓ Attend any hearings that are scheduled.